

MED (Rev.5/13) General Civil Complaint

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGANHerbert Studstill EL  
6296 Carnegie St  
Romulus mi 48174  
Plaintiff(s),

v.

Julita Floyd-king  
3663 Beverly Rd  
Romulus mi 48174  
Defendant(s).  
734-592-3802Case: 2:16-cv-12406  
Judge: Leitman, Matthew F.  
MJ: Patti, Anthony P.  
Filed: 06-24-2016 At 11:03 AM  
CMP STUDSTILL v KING (sk)COMPLAINT

- I. Defendant(s). Print the full name for each defendant. If there are more defendants, use additional pages to provide their names.

Name of Defendant(s)

1. Julita Floyd-king

2.

3.

4.

5.

- II. Statement of claim. Briefly state the facts of your case. Describe how each defendant is involved, and exactly what each defendant did, or failed to do. Include names of any other persons involved, dates, and places. You may use additional paper if necessary.

violations of my rights and stander

MED (Rev.5/13) General Civil Complaint

III. Relief. Briefly state exactly what you want the court to do for you.

an injunction and \$150,000 from defendant

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IV. Additional Information. – Briefly enter any additional information, you may use additional paper.

V. Demand for Jury Trial. Check this box if you want your case to be decided by a jury, instead of a judge.

☒ Plaintiff demands a jury trial on all issues.

Dated: 6-23-16

Herbert Stadstill EL  
Plaintiff's Signature

Herbert Stadstill EL  
Plaintiff's Printed Name

6296 Carnegie St  
Street Address

Romulus MI 48174  
City, State, Zip Code

N/A  
Telephone Number

N/A  
E-mail Address

**United States District Court**

**Herbert Studstill El**

**(Plaintiff, In person)**

**Vs.**

**Jalita Floyd - King**

**(Defendant)**

3663 Beverly Rd  
Ranulus M, 48174  
734-502-3802

**Petition / Lawsuit for slander**

**Jurisdiction is given to the United States district court, according to U.S. Constitution article 3 & U.S. Constitution amendment 7<sup>th</sup>. According F.R.C.P. rule 7(a) & rule 7(7).**

**Brief summary of this lawsuit supported by case law and evidence. According to F.R.C.P. rule 8 (general rules of pleading) (a) claims for relief**

**I Herbert Studstill El hereby come with this lawsuit/petition against the defendant Jalita Floyd-King for slander to my person.**

## **Lawful definition of (Slander):**

### **slander**

N. oral defamation, in which someone tells one or more persons an untruth about another which untruth will harm the reputation of the person defamed. Slander is a civil wrong (tort) and can be the basis for a lawsuit. Damages (payoff for worth) for slander may be limited to actual (special) damages unless there is malicious intent, since such damages are usually difficult to specify and harder to prove. Some statements such as an untrue accusation of having committed a crime, having a loathsome disease, or being unable to perform one's occupation are treated as slander per se since the harm and malice are obvious, and therefore usually result in general and even punitive damage recovery by the person harmed.

**This slander came about by the defendant Jalita King-Floyd on May 21, 2015, when she had me admitted against my will at Oakwood Annapolis hospital. (Evidence # 1) (pg. 1) "Mother is petitioning pt. stating pt. is driving around with illegal tags on his car, no license and insurance. Mother also states that pt. is accusing the police of illegal wrong doings when the patient is the one in the wrong. Mother states that she would like her son to have a psychiatric evaluation. Pt. given gown and instructed to place clothing in patient belonging bag. Pt. refusing to take off clothing at this time. Pt is currently a&ox3, calm and cooperative. Respirations are even unlabored, ksin is warm dry and intact. Nd noted at this time will continue to monitor."**

**Let me state for the court record that at the time the defendant had me admitted. She was not and is not my legal guardian. Also that I was and am a grown man of the age of 40 years old. Also that it's not or was not the defendant job to interpret neither law nor my actions. Being that I was a private citizen of lawfully age and legal capacity to handle my affairs without the defendant assistance.**

#### **Case law**

the court issued an opinion in New York Times Co. v. Sullivan, 376 U.S. 254 (1964) dramatically changing the nature of libel law in the United States. In that case, the court determined that public officials could win a suit for libel only if they could demonstrate "actual malice" on the part of reporters or publishers. In that case, "actual malice" was defined as "knowledge that the information was false" or that it was published "with reckless disregard of whether it was false or not". This decision was later extended to cover "public figures", although the standard is still considerably lower in the case of private individuals.

**In this case even though I the plaintiff isn't a public official. The defendant still acted with actual malice when she gave information to have me admitted against my will for a examination. She gave information that she had no proof of concerning my actions with the police.**

**It was a false accusation, in which it occur as the result of the defendant intentional lying to have me committed. As a result of the defendant action I the plaintiff Herbert Studstill , suffered emotional distress and shame to my reputation. The defendant actions can be seen as a intention tort.**

**Intention tort is defined by law as ;** “are any intentional acts that are reasonably foreseeable to cause harm to an individual, and that do so. Intentional torts have several subcategories:

- Torts against the person include assault, battery, false imprisonment, intentional infliction of emotional distress, and fraud, although the latter is also an economic tort. An intentional tort requires an overt act, some form of intent, and causation .”

**The defendant then went on to carry on with her slander and defamation actions against me, by testify against me. At a state of michigan 34<sup>th</sup> judicial district county of wayne court hearing. ( evidence # 2) ( transcript dated december 2, 2015).**

**Defamation is defined by law as ;** “Defamation is tarnishing the reputation of someone; it has two varieties, *slander* and *libel*. Slander is spoken defamation and libel is printed or broadcast defamation.”

**On october 15, 2015 , before a show cause hering the defendant gave testimony against the plaintiff in a defamation and slanderous way. (evidence # 2 pg 4 trancript) “the court : is there any power—do you have any power of attorney over him? Ms. Flyod : no I do not. The court : no ? Ms. Floyd : I’ve asked for outside guardianship, because it would casue so much conflict between he and I if I – he is totally against it. So there’s a outside person—organization that may—is trying to do it.”**

**Let the court reflect on the fact the defendant openly admitted in court that she had no reason power to act in my affairs and that her(defendant) intention was to slander and defamate me to gain power over me.**

**(evidence # 2 page 5 transcript) “ the court : did he—he was sent for a- a psychological. Did that ever occur? Ms.Floyd: we went, but he did not comply. We got there, locked up evrything, but then he would not allow them to search him. He said it was a violation of his civil rights. So then we left. But that’s as far as I got with him. So what we’re trying to do is get the third party involved to help with all**

of this. I can not it alone. It's-it's just total nonsense. We -I've talked and talked until I'm blue in the face. He doesn't listen to me. So maybe these other people with the force of medication, going to the doctor, what have you, that will help turn this situation around, because he's not doing any of that. The court : how is the environment at home? Ms/ Floyd: he lives alone and we have managed with him doing that for years because he listened to us at that point. Now he's involved with these Moorish people. They take his money. He has to pay to belong. They have gotten him into all of this. He will not listen to us now. He doesn't hear it. But he still pays his rent and what have you like that."

Let the court again reflect on the point that the defendant openly testify against me with the intentional slander and defamation by telling the court she wanted help to get control over me for no reason because she also admitted that I was handling my affairs as a private citizen.

The defendant's action in the court testimony caused me the plaintiff to be arrested for no reason , but that she wanted power of attorney over me. I spent a few weeks in jail because of her(defendant) actions.

#### **Conclusion & remedy**

I the plaintiff Herbert Studstill El , am seeking a remedy of \$150,000 from the defendant Jalika Floyd , for slander and defamation also intentional infliction of emotional distress. I also am asking the court to put some type of injunction on the defendant to keep her out of my affairs.

**Said and Done by: Herbert Studstill El**

OAKWOOD ANNAPOLIS HOSPITAL  
33155 Annapolis Rd  
Wayne MI 48184-2405  
ED Legal Record

STUDSTILL, HERBERT JR.  
MRN: 07167477  
DOB: 10/24/1975, Sex: M  
Adm: 5/21/2015, D/C: 5/22/2015

### ED Notes (continued)

#### ED Notes by King, Jalita E, RN at 5/21/2015 6:54 PM (continued)

Version 1 of 1

Author: King, Jalita E, RN	Service: (none)	Author Type: Registered Nurse
Filed: 5/21/2015 6:54 PM	Note Time: 5/21/2015 6:54 PM	Status: Signed
Editor: King, Jalita E, RN (Registered Nurse)		

Pt to holding bed 39. Report given to Tiffany RN.

Electronically signed by King, Jalita E, RN on 5/21/2015 6:54 PM

#### ED Notes by King, Jalita E, RN at 5/21/2015 6:12 PM

Version 1 of 1

Author: King, Jalita E, RN	Service: (none)	Author Type: Registered Nurse
Filed: 5/21/2015 6:13 PM	Note Time: 5/21/2015 6:12 PM	Status: Signed
Editor: King, Jalita E, RN (Registered Nurse)		

Pt is in green gown, belongings being locked up with security. Pt calm and cooperative.

Electronically signed by King, Jalita E, RN on 5/21/2015 6:13 PM

#### ED Notes by King, Jalita E, RN at 5/21/2015 5:43 PM

Version 2 of 2

Author: King, Jalita E, RN	Service: (none)	Author Type: Registered Nurse
Filed: 5/21/2015 5:45 PM	Note Time: 5/21/2015 5:43 PM	Status: Addendum
Editor: King, Jalita E, RN (Registered Nurse)		
Related Notes: Original Note by King, Jalita E, RN (Registered Nurse) filed at 5/21/2015 5:44 PM		

Mother is petitioning pt stating that pt is driving around with illegal tags on his car, no license and insurance. Mother also states that pt is accusing the police of illegal wrong doings when the patient is the one in the wrong. Mother states that she would like her son to have a psychiatric evaluation. Pt given gown and instructed to place clothing in patient belonging bag. Pt refusing to take off clothing at this time. Pt is currently a&ox3, calm and cooperative. Respirations are even and unlabored, ksin is warm dry and intact. ND noted at this time. Will continue to monitor.

Electronically signed by King, Jalita E, RN on 5/21/2015 5:45 PM

#### ED Notes by King, Jalita E, RN at 5/21/2015 5:43 PM

Version 1 of 2

Author: King, Jalita E, RN	Service: (none)	Author Type: Registered Nurse
Filed: 5/21/2015 5:44 PM	Note Time: 5/21/2015 5:43 PM	Status: Signed
Editor: King, Jalita E, RN (Registered Nurse)		
Related Notes: Addendum by King, Jalita E, RN (Registered Nurse) filed at 5/21/2015 5:45 PM		

Mother is petitioning pt stating that pt is driving around with illegal tags on his car, no license and insurance. Mother also states that pt is accusing the police of illegal wrong doings when the patient is the one in the wrong. Mother states that she would like her son to have a psychiatric evaluation.

Electronically signed by King, Jalita E, RN on 5/21/2015 5:44 PM



OAKWOOD ANNAPOLIS HOSPITAL  
33155 Annapolis Rd  
Wayne MI 48184-2405  
ED Legal Record

STUDSTILL, HERBERT JR.  
MRN: 07167477  
DOB: 10/24/1975, Sex: M  
Adm: 5/21/2015, D/C: 5/22/2015

**ED Provider Notes (continued)**

**ED Provider Notes by Murry, Glenn, PA-C at 5/21/2015 9:46 PM (continued)**

Version 1 of 1

Number of Diagnoses or Management Options

Diagnosis management comments: Here with likely untreated schizophrenia - there is no injury - here with mother who has concern and is writer of petition - medical evaluation complete other than urine drug screen - although expressing disagreement he is cooperative and not a management problem

Amount and/or Complexity of Data Reviewed

Clinical lab tests: reviewed and ordered

Murry, Glenn, PA-C  
05/21/15 2151

Mingo, Alfie E, MD  
05/22/15 2125

Electronically signed by Mingo, Alfie E, MD on 5/22/2015 9:25 PM

**ED Provider Notes by Horling, Susan M, DO at 5/22/2015 3:03 AM**

Version 2 of 2

Author: Horling, Susan M, DO      Service: Adm-Emergency Medicine      Author Type: Physician  
Filed: 5/22/2015 7:40 PM      Note Time: 5/22/2015 3:03 AM      Status: Addendum  
Editor: Horling, Susan M, DO (Physician)  
Related Notes:      Original Note by Knauer, James A, PA-C (Physician Assistant) filed at 5/22/2015 6:41 AM

2200 case signed out to myself from g murry pa-c. Vss, no new complaints or problems.  
0700 case signed out to m deller pa-c

Knauer, James A, PA-C  
05/22/15 0641

I have personally seen & evaluated the patient. I find the patients history and physical exam are consistent with NP/PA documentation. I agree with the care provided, treatment rendered, disposition & follow up plan.

Horling, Susan M, DO  
05/22/15 1940

Electronically signed by Horling, Susan M, DO on 5/22/2015 7:40 PM

**ED Provider Notes by Knauer, James A, PA-C at 5/22/2015 3:03 AM**

Version 1 of 2

Generated by 066975 at 4/5/16 9:23 AM

STATE OF MICHIGAN

34TH JUDICIAL DISTRICT COURT COUNTY OF WAYNE

THE PEOPLE OF THE CITY OF ROMULUS,

v

District Court No. 15-1943;  
1944; 1945

HERBERT STUDSTILL,

Defendant.

SHOW CAUSE HEARING

BEFORE THE HONORABLE ALAN HINDMAN, MAGISTRATE

Romulus, Michigan - October 15, 2015

APPEARANCES:

For the People:

No one present

For the Defendant:

In Pro Per.

Recorded and transcribed by: Michelle J.K. Buckberry, CER3601  
Certified Electronic Recorder  
(734) 941-4462

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PAGE

WITNESSES: PEOPLE

None.

WITNESSES: DEFENDANT

NONE.

IDENTIFIED

ADMITTED

EXHIBITS:

None.

Romulus, Michigan

Thursday, October 15, 2015 - 2:37 p.m.

THE COURT: Mr. Studstill, did you read and sign your Advice of Rights Form?

THE DEFENDANT: No. For the record, I'm making a special appearance and I'm challenging the jurisdiction for the record.

THE COURT: You want the Court to do something and the Court is asking you, did you read and sign your Advice of Rights form?

THE DEFENDANT: No. I am here making a special appearance.

THE COURT: Again, I don't want to--listen--listen to me. You want me to do something for you and I'm asking you, did you read and sign your Advice of Rights form?

THE DEFENDANT: No.

THE COURT: Then I'm gonna read them to you, because when you walked into the door of this court house you want to--the Court to grant your request, but you have to abide by our rules. Are you prepared for that this afternoon?

THE DEFENDANT: I'm challenging the jurisdiction--

THE COURT: Are you prepared--

THE DEFENDANT: --for the record.

THE COURT: --for that this afternoon?

1 THE DEFENDANT: I am ready.

2 THE COURT: Okay.

3 Mom?

4 MS. FLOYD: No verbal response.

5 THE COURT: Have a seat at that table?

6 THE DEFENDANT: This one?

7 THE COURT: Yep.

8 I'm--your name for the record?

9 MS. FLOYD: Jelica (phonetic) Floyd.

10 THE COURT: I'm aware of the Defendant's

11 situation.

12 MS. FLOYD: Uh huh.

13 THE COURT Is there any power--do you have any  
14 power of attorney over him?

15 MS. FLOYD: No, I do not.

16 THE COURT: No?

17 MS. FLOYD: I've asked for outside guardianship,  
18 because it would cause so much conflict between he and I if  
19 I--he is totally against it. So there's a outside person--  
20 organization that may--is trying to do it.

21 THE COURT: What's the state of union of Herbert  
22 today?

23 MS. FLOYD: The--his--

24 THE COURT: Is he--

25 MS. FLOYD: --position?

1 THE COURT: Did he--he was sent for a--a  
2 psychological. Did that ever occur?

3 MS. FLOYD: We went, but he did not comply. We  
4 got there, locked up everything, but then he would not allow  
5 them to search him. He said it was a violation of his civil  
6 rights. So then we left. But that's as far as I got with  
7 him.

8 So what we're trying to do is get the third party  
9 involved to help with all of this. I can not do it alone.  
10 It--it's just total nonsense. We--I've talked and talked  
11 until I'm blue in the face. He doesn't listen to me. So  
12 maybe these other people with the force of medication, going  
13 to the doctor, what have you, that will help turn this  
14 situation around, because he's not doing any of that.

15 THE COURT: How is the environment at home?

16 MS. FLOYD: He lives alone and we have managed  
17 with him doing that for years because he listened to us at  
18 that point. Now he's involved with these Moorish people.  
19 They take his money. He has to pay to belong. They have  
20 gotten him into all of this. He will not listen to us now.  
21 He doesn't hear it. But he still pays his rent and what  
22 have you like that. He does that, but--

23 THE COURT: There's nobody but your mother  
24 standing next to you today. All these people that are  
25 feeding you all this information, in my relationship with

1 you, they're never here. The only people that you truly  
2 can trust on the planet are always here for you. All these  
3 other people, they're never here with you.

4 So he's over on Carnegie?

5 MS. FLOYD: Yes.

6 THE COURT: See, when I said he walks into this  
7 building, he--there's a whole bunch of stuff that goes along  
8 with these six cases.

9 MS. FLOYD: Yes, it is.

10 THE COURT: And he wants to talk about rights.  
11 Well, he--signing that Advice of Rights form or me going to  
12 explain those rights to him in a minute, he's gonna be put  
13 into that situation.

14 MS. FLOYD: I understand that, but I think he's  
15 just off on his binge of things. He doesn't see the big  
16 picture. He just doesn't get it.

17 THE COURT: How old is he?

18 MS. FLOYD: How old are you, Herbert?

19 THE DEFENDANT: Thirty-nine.

20 THE COURT: Hold on a minute.

21 THE DEFENDANT: It appears that the judge has left  
22 the bench.

23 THE COURT: All right, Herbert, step up. Herbert,  
24 you've been arraigned before Judge Green. I'm not gonna--  
25 she sent you for a competency exam. Did you do that?

1 THE DEFENDANT: Yes, and I'm challenging your  
2 jurisdiction for the record.

3 THE COURT Okay. And I have there's no competency  
4 in this file. You're in what's called a show cause status,  
5 that's for you to show cause why you didn't fulfill the  
6 Judge's order. Why didn't you go and take care of the  
7 objectives that the Judge gave you by going in for a  
8 competency exam?

9 THE DEFENDANT: I am challenging the Court's  
10 jurisdiction--

11 THE COURT: Okay.

12 THE DEFENDANT: --for the record.

13 THE COURT: Okay. Mr. Studstill, you have the  
14 right to remain silent. Anything you say orally and/or in  
15 writing can be used against you in court. You have the  
16 right to a trial before a judge or before a jury. You have  
17 a right to bring forth witnesses to testify on your behalf.  
18 Do you understand that?

19 THE DEFENDANT: No verbal response.

20 THE COURT: And the Prosecution has the right to  
21 bring witnesses and put them under oath to testify against  
22 you. Do you understand that?

23 THE DEFENDANT: Yes.

24 THE COURT: So, with all that said, you did not  
25 do what the Judge ordered, so what I'm gonna do on case



1 number 15-1943, your bond is five thousand dollars/ten  
2 percent. And I'm gonna order you--I'm gonna continue the  
3 Judge's order for a competency exam.

4 Case number 15-1944, Interfere With a Police  
5 Officer, I'm gonna order that you again for competency, per  
6 Judge Green's order. Your bond on that case is five  
7 thousand dollars/ten percent.

8 Case number 15-1945, I'm gonna continue the  
9 Judge's order for competency. Your bond on that case is  
10 five thousand dollars/ten percent.

11 And in the final case, Failed to Obey a Police--  
12 no, second from the last--Failed to Obey, that's another  
13 case that the Judge ordered competency. I'm gonna continue  
14 that order. I'm gonna place you on a five thousand dollar/  
15 ten percent bond.

16 And the final case, a Registration or Plate  
17 Violation, and again the Judge ordered competency. You  
18 failed to do it. I'm gonna order your bond on that case  
19 five thousand dollars/ten percent.

20 So that totals twenty-five thousand dollars/ten  
21 percent. You're gonna be--there's gonna be a--the  
22 competency order is gonna be forwarded to the Wayne County  
23 Sheriff's Department, because you're gonna be in custody and  
24 I think that's gonna make that competency exam happen.

25 You have a civil infraction that I'm just gonna

1 push out until the date--a Romulus date.

2 Michelle--matter of fact, you can just--it's at  
3 show cause now. Give me a date.

4 COURT RECORDER: I can't give you a date, because  
5 we don't know when the competency will be.

6 THE COURT: I know, so I'll just leave it.

7 Mr. Studstill, I told you at the beginning of  
8 this, when you come into the building you have to abide by  
9 all of the rules that this body of the government operates  
10 under and so I know you had good intentions when you came  
11 in, but you're gonna be going that way today.

12 THE DEFENDANT: What does that mean?

13 THE COURT: You're gonna be taken into custody.  
14 This is serious.

15 I don't know what it is on your end with whoever  
16 feeds you your information that you get, but in my thirty  
17 plus years in this building I've never been able to  
18 understand this practice that floats around on the internet.  
19 I think it all boils down to money. But, in my thirty  
20 years every case similar to yours that the same verbiage is  
21 used, I never see the parties that present this whatever it  
22 is, these beliefs, are never present with the people at the  
23 other end. You're gonna go off to jail and those people  
24 that gave you that information, they're gonna be sitting  
25 down tonight eating dinner somewhere and you're not gonna be

1 eating the same dinner they are or be in the same  
2 atmosphere. But I think the Court needs to get your  
3 attention. I think you need some medical attention and I  
4 think that once you find and you get that medical attention,  
5 life is gonna be a little bit easier to go and I think it's  
6 gonna put some people under some less stress.

7 I can tell by the look on your mom's face that  
8 this isn't happy, but we need to get your attention.  
9 You're--you're listening to the wrong people. I can tell  
10 you personally that we had these cases all set to go a very  
11 easy route, but you're focused on something that's the  
12 opposite of that. And with whoever is giving you this  
13 information, they're not standing here today.

14 Go ahead and take him into custody.

15 And now listen, going into custody--

16 THE DEFENDANT: And I am also challenging your  
17 jurisdiction for the record.

18 THE COURT: That--and I--I--it's--it--I'll take it  
19 under advisement, but again, I read you your rights and I've  
20 put you on notice that--that--bond is not a penalty. Bond  
21 is to guarantee that you fulfill the orders of the judges  
22 that sit in this building and you failed to do so.

23 What she sent you for might have been two hours  
24 out of your day and now you're turning it into this.

25 Go ahead, Tim.

1 THE DEFENDANT: For the record I want to know what  
2 my crime is.

3 OFFICER RAPP: Come on, let's go.

4 THE COURT: Case number 1942--real quick, Tim.  
5 I'll tell him.

6 OFFICER RAPP: Okay.

7 THE COURT: 1943 is Obstructing Justice; 1944 is  
8 Interfere With a Police Officer; 1945 is Driving While  
9 License Suspended; 1946 is Failed to Obey a Police Officer;  
10 and the last one is a Registration or Plate Violation.

11 You're all set, go.

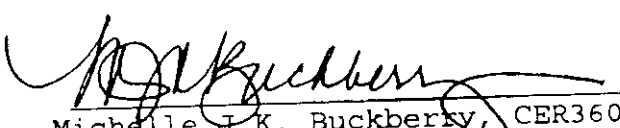
12 (At 2:51 a.m., proceedings concluded)

CERTIFICATE

STATE OF MICHIGAN)  
COUNTY OF WAYNE )

I certify that this transcript consisting of 12 pages is a complete, true, and correct transcript of the proceedings and testimony taken in this case on October 15, 2015.

December 2, 2015

  
Michelle J.K. Buckberry, CER3601  
Certified Electronic Recorder  
11131 S. Wayne Road  
Romulus, MI 48174  
(734) 941-4462

JS 44 (Rev. 11/15)

## CIVIL CC

The JS 44 civil cover sheet and the information contained herein neither replace nor provided by local rules of court. This form, approved by the Judicial Conference of purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF

except as  
for the

I. (a) PLAINTIFFS Herbert Studstill EL  
6296 Carnegie St  
Romulus MI 48174

(b) County of Residence of First Listed Plaintiff  
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

DEFENDANTS Jalita Floyd-King  
3663 Beverly Rd  
Romulus MI 48174

County of Residence of First Listed Defendant  
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

## II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff ☒ 3 Federal Question (U.S. Government Not a Party)
- ☐ 2 U.S. Government Defendant ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

## III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- |   |  |   |   |
|---|--|---|---|
| Citizen of This State                   | PTF <input checked="" type="checkbox"/> DEF <input type="checkbox"/> | Incorporated or Principal Place of Business In This State     | PTF <input type="checkbox"/> DEF <input type="checkbox"/> |
| Citizen of Another State                | <input type="checkbox"/> 2 <input type="checkbox"/> 2                | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 <input type="checkbox"/> 5     |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 <input type="checkbox"/> 3                | Foreign Nation  | <input type="checkbox"/> 6 <input type="checkbox"/> 6     |

## IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS		FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	<b>PERSONAL INJURY</b> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input checked="" type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	<b>PERSONAL INJURY</b> <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability <b>PERSONAL PROPERTY</b> <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other <b>LABOR</b> <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <b>PROPERTY RIGHTS</b> <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark <b>SOCIAL SECURITY</b> <input type="checkbox"/> 861 HIA (1395f) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g))	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729 (a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities Commodities Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
<b>REAL PROPERTY</b> <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<b>CIVIL RIGHTS</b> <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing: Accommodations <input type="checkbox"/> 445 Amer. w. Disabilities Employment <input type="checkbox"/> 446 Amer. w. Disabilities Other <input type="checkbox"/> 448 Education	<b>PRISONER PETITIONS</b> <b>Habeas Corpus:</b> <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <b>Other:</b> <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement	<b>IMMIGRATION</b> <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<b>FEDERAL TAX SUITS</b> <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS --Third Party 26 USC 7609	

## V. ORIGIN (Place an "X" in One Box Only)

- ☒ 1 Original Proceeding ☐ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from Another District (specify) ☐ 6 Multidistrict Litigation

## VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing. (Do not cite jurisdictional statutes unless diversity):

Brief description of cause:

Slander

## VII. REQUESTED IN COMPLAINT:

☒ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND \$

\$ 150,000

CHECK YES only if demanded in complaint:

JURY DEMAND: ☒ Yes ☐ No

## VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE

DOCKET NUMBER

DATE

SIGNATURE OF ATTORNEY OF RECORD

## FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

APPLYING IFP

JUDGE

MAG. JUDGE

PURSUANT TO LOCAL RULE 83.11

1. Is this a case that has been previously dismissed?

☐ Yes  
☒ No

If yes, give the following information:

Court: \_\_\_\_\_

Case No.: \_\_\_\_\_

Judge: \_\_\_\_\_

2. Other than stated above, are there any pending or previously discontinued or dismissed companion cases in this or any other court, including state court? (Companion cases are matters in which it appears substantially similar evidence will be offered or the same or related parties are present and the cases arise out of the same transaction or occurrence.)

☐ Yes  
☒ No

If yes, give the following information:

Court: \_\_\_\_\_

Case No.: \_\_\_\_\_

Judge: \_\_\_\_\_

Notes :

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JS 44 (Rev. 12/12)

## CIVIL COVER SHEET

County in which action arose \_\_\_\_\_

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

**I. (a) PLAINTIFFS** *Herbert Studebaker*  
*6296 Carnegie St*  
*Romulus MI 48174*

(b) County of Residence of First Listed Plaintiff

(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

**DEFENDANTS** *Jalita Floyd-King*  
*3663 Beverly Rd*  
*Romulus MI 48174*

County of Residence of First Listed Defendant

(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED

Attorneys (If Known)

**II. BASIS OF JURISDICTION** (Place an "X" in One Box Only)

- 1 U.S. Government Plaintiff ☒ Federal Question (U.S. Government Not a Party)
- 2 U.S. Government Defendant ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

**III. CITIZENSHIP OF PRINCIPAL PARTIES** (Place an "X" in One Box for Plaintiff and One Box for Defendant)

	PTF	DEF		PTF	DEF
Citizen of This State	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1 Incorporated or Principal Place of Business in This State	4	4
Citizen of Another State	<input type="checkbox"/>	<input type="checkbox"/>	2 Incorporated and Principal Place of Business in Another State	5	5
Citizen or Subject of a Foreign Country	<input type="checkbox"/>	<input type="checkbox"/>	3 Foreign Nation	6	6

**IV. NATURE OF SUIT** (Place an "X" in One Box Only)

CONTRACT	TORTS		FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
110 Insurance 120 Marine 130 Miller Act 140 Negotiable Instrument 150 Recovery of Overpayment & Enforcement of Judgment 151 Medicare Act 152 Recovery of Defaulted Student Loans (Excludes Veterans) 153 Recovery of Overpayment of Veteran's Benefits 160 Stockholders' Suits 190 Other Contract 195 Contract Product Liability 196 Franchise	<b>PERSONAL INJURY</b> 310 Airplane 315 Airplane Product Liability 320 Assault, Libel & Slander 330 Federal Employers' Liability 340 Marine 345 Marine Product Liability 350 Motor Vehicle 355 Motor Vehicle Product Liability 360 Other Personal Injury 362 Personal Injury - Medical Malpractice	<b>PERSONAL INJURY</b> 365 Personal Injury - Product Liability 367 Health Care: Pharmaceutical Personal Injury Product Liability 368 Asbestos Personal Injury Product Liability <b>PERSONAL PROPERTY</b> 370 Other Fraud 371 Truth in Lending 380 Other Personal Property Damage 385 Property Damage Product Liability	625 Drug Related Seizure of Property 21 USC 881 690 Other <b>LABOR</b> 710 Fair Labor Standards Act 720 Labor Management Relations 740 Railway Labor Act 751 Family and Medical Leave Act 790 Other Labor Litigation 791 Employee Retirement Income Security Act <b>IMMIGRATION</b> 462 Naturalization Application 465 Other Immigration Actions	422 Appeal 28 USC 158 423 Withdrawal 28 USC 157 <b>PROPERTY RIGHTS</b> 820 Copyrights 830 Patent 840 Trademark <b>SOCIAL SECURITY</b> 861 HHA (1395ff) 862 Black Lung (923) 863 DIWC/DIWW (405(g)) 864 SSID Title XVI 865 RSI (405(g)) <b>FEDERAL TAX SUITS</b> 870 Taxes (U.S. Plaintiff or Defendant) 871 IRS - Third Party 26 USC 7609	375 False Claims Act 400 State Reapportionment 410 Antitrust 430 Banks and Banking 450 Commerce 460 Deportation 470 Racketeer Influenced and Corrupt Organizations 480 Consumer Credit 490 Cable/Sat TV 850 Securities Commodities Exchange 890 Other Statutory Actions 891 Agricultural Acts 893 Environmental Matters 895 Freedom of Information Act 896 Arbitration 899 Administrative Procedure Act/Review or Appeal of Agency Decision 950 Constitutionality of State Statutes
REAL PROPERTY	CIVIL RIGHTS	PRISONER PETITIONS			
210 Land Condemnation 220 Foreclosure 230 Rent Lease & Ejectment 240 Torts to Land 245 Tort Product Liability 290 All Other Real Property	440 Other Civil Rights 441 Voting 442 Employment 443 Housing Accommodations 445 Amer. w. Disabilities - Employment 446 Amer. w. Disabilities - Other 448 Education	<b>Habeas Corpus:</b> 463 Alien Detainee 510 Motions to Vacate Sentence 530 General 535 Death Penalty <b>Other:</b> 540 Mandamus & Other 550 Civil Rights 555 Prison Condition 560 Civil Detainee - Conditions of Confinement			

**V. ORIGIN** (Place an "X" in One Box Only)

- ☒ 1 Original Proceeding ☐ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from Another District (specify) ☐ 6 Multidistrict Litigation

**VI. CAUSE OF ACTION**

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

Brief description of cause:

*violation of constitutional rights*  
*slander*

**VII. REQUESTED IN COMPLAINT:**

CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND \$

*8150.000*

CHECK YES only if demanded in complaint:

JURY DEMAND:

☒ Yes ☐ No**VIII. RELATED CASE(S) IF ANY**

(See instructions)

JUDGE

DOCKET NUMBER

DATE

SIGNATURE OF ATTORNEY OF RECORD

## FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

APPLYING IFP

JUDGE

MAG. JUDGE



PURSUANT TO LOCAL RULE 83.11

1. Is this a case that has been previously dismissed?

☐ Yes  
☒ No

If yes, give the following information:

Court: \_\_\_\_\_

Case No.: \_\_\_\_\_

Judge: \_\_\_\_\_

2. Other than stated above, are there any pending or previously discontinued or dismissed companion cases in this or any other court, including state court? (Companion cases are matters in which it appears substantially similar evidence will be offered or the same or related parties are present and the cases arise out of the same transaction or occurrence.)

☐ Yes  
☒ No

If yes, give the following information:

Court: \_\_\_\_\_

Case No.: \_\_\_\_\_

Judge: \_\_\_\_\_

Notes :

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## New LawsUIT Check List

Instructions: Put a check mark in the box next to each appropriate entry to be sure you have all the required documents.

<input checked="" type="checkbox"/>	Two (2) completed Civil Cover Sheets.							
<input checked="" type="checkbox"/>	<p>Enter the number of defendants named in your lawsuit in the blank below, add 2 and then enter the total in the blank.</p> <p style="text-align: center;"> <u>1</u> + 2 = <u>3</u> Complaints.  <small># of Defendants                      Total</small> </p> <p>Received by Clerk: <u>SK</u> <u>ONLY 2 Complaint sent</u> Addresses are complete: <u>SK</u></p>	<p>Case: 2:16-cv-12406          Judge: Leitman, Matthew F.          MJ: Patti, Anthony P.          Filed: 06-24-2016 At 11:03 AM          CMP STUDSTILL v KING (sk)</p>						
<input type="checkbox"/>	<p>If any of your defendants are government agencies:          Provide two (2) extra copies of the complaint for the U.S Attorney and the Attorney General.</p>							
If Paying The Filing Fee:		If Asking That The Filing Fee Be Waived:						
<input type="checkbox"/>	<p>Current new civil action filing fee is attached.</p> <p>Fees may be paid by check or money order made out to:</p> <p style="text-align: center;">Clerk, U.S District Court</p> <p>Received by Clerk: _____ Receipt #: _____</p>	<td style="text-align: center;"><input checked="" type="checkbox"/></td> <td> <p>Two (2) completed Application to Proceed in District Court without Prepaying Fees or Costs forms.</p> <p>Received by Clerk: _____</p> </td>	<input checked="" type="checkbox"/>	<p>Two (2) completed Application to Proceed in District Court without Prepaying Fees or Costs forms.</p> <p>Received by Clerk: _____</p>				
Select the Method of Service you will employ to notify your defendants:								
Service via Summons by Self	Service by U.S Marshal (Only available if fee is waived)	Service via Waiver of Summons (U.S Government cannot be a defendant)						
<td style="text-align: center;"><input type="checkbox"/></td> <td> <p>Two (2) completed summonses for each defendant including each defendant's name and address.</p> <p>Received by Clerk: _____</p> </td> <td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td> <p>Two (2) completed USM - 285 Forms per defendant, if you are requesting the U.S Marshal conduct service of your complaint.</p> <p><input checked="" type="checkbox"/> Two (2) completed Request for Service by U.S Marshal form.</p> <p>Received by Clerk: _____</p> </td> <td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td> <p>You need not submit any forms regarding the Waiver of Summons to the Clerk.</p> <p><u>Once your case has been filed, or the Application to Proceed without Prepaying Fees and Costs has been granted, you will need:</u></p> <ul style="list-style-type: none"> <li>One (1) Notice of a Lawsuit and Request to Waive Service of a Summons form per defendant.</li> <li>Two (2) Waiver of the Service of Summons forms per defendant.</li> </ul> <p>Send these forms along with your filed complaint and a self-addressed stamped envelope to each of your defendants.</p> </td> </td> </td>	<input type="checkbox"/>	<p>Two (2) completed summonses for each defendant including each defendant's name and address.</p> <p>Received by Clerk: _____</p>	<td style="text-align: center;"><input checked="" type="checkbox"/></td> <td> <p>Two (2) completed USM - 285 Forms per defendant, if you are requesting the U.S Marshal conduct service of your complaint.</p> <p><input checked="" type="checkbox"/> Two (2) completed Request for Service by U.S Marshal form.</p> <p>Received by Clerk: _____</p> </td> <td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td> <p>You need not submit any forms regarding the Waiver of Summons to the Clerk.</p> <p><u>Once your case has been filed, or the Application to Proceed without Prepaying Fees and Costs has been granted, you will need:</u></p> <ul style="list-style-type: none"> <li>One (1) Notice of a Lawsuit and Request to Waive Service of a Summons form per defendant.</li> <li>Two (2) Waiver of the Service of Summons forms per defendant.</li> </ul> <p>Send these forms along with your filed complaint and a self-addressed stamped envelope to each of your defendants.</p> </td> </td>	<input checked="" type="checkbox"/>	<p>Two (2) completed USM - 285 Forms per defendant, if you are requesting the U.S Marshal conduct service of your complaint.</p> <p><input checked="" type="checkbox"/> Two (2) completed Request for Service by U.S Marshal form.</p> <p>Received by Clerk: _____</p>	<td style="text-align: center;"><input checked="" type="checkbox"/></td> <td> <p>You need not submit any forms regarding the Waiver of Summons to the Clerk.</p> <p><u>Once your case has been filed, or the Application to Proceed without Prepaying Fees and Costs has been granted, you will need:</u></p> <ul style="list-style-type: none"> <li>One (1) Notice of a Lawsuit and Request to Waive Service of a Summons form per defendant.</li> <li>Two (2) Waiver of the Service of Summons forms per defendant.</li> </ul> <p>Send these forms along with your filed complaint and a self-addressed stamped envelope to each of your defendants.</p> </td>	<input checked="" type="checkbox"/>	<p>You need not submit any forms regarding the Waiver of Summons to the Clerk.</p> <p><u>Once your case has been filed, or the Application to Proceed without Prepaying Fees and Costs has been granted, you will need:</u></p> <ul style="list-style-type: none"> <li>One (1) Notice of a Lawsuit and Request to Waive Service of a Summons form per defendant.</li> <li>Two (2) Waiver of the Service of Summons forms per defendant.</li> </ul> <p>Send these forms along with your filed complaint and a self-addressed stamped envelope to each of your defendants.</p>
Clerk's Office Use Only								
<p>Note any deficiencies here:</p> <p><u>Only 2 complaints were sent.</u></p>								

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Theodore Levin D.S. Courthouse  
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